

TITLE 329 SOLID WASTE MANAGEMENT DIVISION

Rule Information Sheet

Electronic Waste
LSA Document #14-19

Overview

This rulemaking proposes to make changes to the electronic waste management rules at 329 IAC 16. The proposed changes include increasing compliance flexibility for labeling, mapping, and financial assurance requirements. The trust fund, letter of credit, and insurance will be added to the available mechanisms for complying with financial assurance. Changes also were made to improve the clarity and understandability of the article while removing unnecessary and confusing language throughout the article.

Suggested Changes since Preliminary Adoption

The only changes made since preliminary adoption are grammatical changes at 329 IAC 16-5-1(e)(1) and 329 IAC 16-5-1(j)(5). No other changes have been made.

Affected Persons

The proposed changes in this rulemaking will affect electronic waste recyclers that store or process electronic waste. IDEM processes should not be significantly affected by this rulemaking because IDEM will be able to administer the electronic waste program with the current staff, resources, and funding after the rule changes take effect.

Reasons for the Rule

IDEM chose to initiate this rulemaking because IDEM determined that the electronic waste rules needed clarification, more flexibility for certain requirements, and general updates based on conditions in the industry and the program. No statutory changes or federal mandate spurred this rulemaking.

Economic Impact of the Rule

This rule will have little-to-no fiscal impact for the state government, electronic waste recyclers, manufacturers, and any other affected parties. None of the amendments are intended to add requirements or costs for regulated entities. Many of the changes will improve the clarity and understandability of the rule, reducing the administrative burden. A few changes will provide more flexibility for labeling and mapping standards, reducing requirements rather than making them stricter. Finally, the allowance of more options in addition to a surety bond for financial assurance and the elimination of the standby trust fund requirement may provide the opportunity to obtain a lower cost financial assurance mechanism.

Scheduled Hearings

First Public Hearing: 1:30 p.m., September 10, 2014, at the Indiana Government Center South, 302 West Washington Street, Conference Center Room A, Indianapolis, Indiana.

Second Public Hearing: 1:30 p.m., November 12, 2014, at the Indiana Government Center South, 302 West Washington Street, Conference Center Room A, Indianapolis, Indiana.

IDEM Contact

Additional information regarding this rulemaking action can be obtained from Dan Watts, Rules Development Branch, Office of Legal Counsel, (317) 234-5345, (800) 451-6027 (in Indiana), or dwatts1@idem.in.gov.